

REMARKS

The present amendment is in response to the Official Action dated September 19, 2006, wherein the Examiner rejected pending claims 32-55. More specifically, the Examiner rejected claims 32-47 and 49-55 under 35 U.S.C. §102(e) as being anticipated by Haddad et al., US Patent Application Publication No. 2003/0137435; rejected claim 48 under 35 U.S.C. §103(a) as being unpatentable over Haddad et al., '435, in view of Kinnunen et al., US Patent Application Publication No. 2001/0018349; and objected to claims 38-40, and any of the claims which depend therefrom, under 35 U.S.C. §112 as failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. However contrary to the assertions of the Examiner, the references cited by the Examiner, either separately or in combination, fail to make known or obvious each and every feature of the claims of the present application as currently presented. The specific reasoning supporting the applicant's conclusions are set forth below. As a result, reexamination and reconsideration of the above-identified application, in view of the present remarks, is hereby requested.

In response to the alleged failure to particularly point out and distinctly claim the subject matter, the applicant has amended claims 38-40 in an attempt to make the same more clear, where the claims have been amended to more consistently refer to the intermediate device, which appears in claim 34. As presently amended, the claims are believed to traverse the Examiner's concerns.

Regarding the alleged anticipation and/or obviousness of the claims, as presently amended, the relied upon references fail to make known or obvious each and every limitation of the claims, where the claims currently provide for "the mobile service provider traveling to a previously undisclosed location where a service is to be performed" (independent claims 32 and 52, and indirectly each of the claims which depend therefrom), which is contrary to the events disclosed in Haddad et al., '435, which correspond to an "expected occurrence" (see para. [0009]). More specifically, the reference largely relates to a bus traveling along an expected route and providing information concerning its expected arrival (and any deviation thereto). As such, the teachings do not relate to services associated with a previously undisclosed location. In essence, with regard to the reference, the service is already known and expected relative to a particular location, even before a message is received, and the message concerns itself more with the current status of the service provider relative to the expected event. As a result, the

references presently relied upon in support of the rejection fail to make known each and every feature of the claims, and therefore the rejection as presently articulated are inapplicable to the claims, as presently pending.

For the reasons noted above, the claims as presently pending are allowable over the prior art of record. Consequently, reexamination and reconsideration of the claims is respectfully requested, with a view toward the allowance of the same.

Respectfully submitted,

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